

Attorney Docket :  
033216M059

P A T E N T RECEIVED

MAR 16 2006

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE OFFICE OF PETITIONS

In re the application of:	)	
	)	Confirmation No.: 5746
Tadashi ONO, et al.	)	
	)	
Serial No. : 09/692,312	)	Art Unit : 2616
	)	
Filed : October 20, 2000	)	Examiner : Robert Chevalier

For : DATA RECORDING APPARATUS, MEDIUM AND  
INFORMATION PACKAGE

**PETITION TO WITHDRAW FROM ISSUE UNDER 37 C.F.R. § 1.313(C)(2)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This Petition is very urgent. It is filed in triplicate.

The above-identified application has been allowed. The Issue Fee was paid on January 25, 2006. To the undersigned's knowledge, it has not yet been scheduled to issue as a patent.

The Applicants and the undersigned hereby request that the application be withdrawn from issue.

Withdrawal from issue is required in order to obtain entry and consideration of an Information Disclosure Statement (IDS) that cites a Japanese Patent Office (JPO) Action issued in the JPO, in connection with Applicants' Japanese counterpart application, JP2000-321635 and the corresponding disclosure documents cited in the JPO Action. This Petition, therefore, is accompanied by a Request for Continued Examination (RCE) under


U. S. Patent Application No. 09/692,312  
Attorney Docket No. 33216 M 059  
Page 2

37 CFR §1.114 with the requisite fee and the aforementioned IDS as the requisite "submission." This Petition also is accompanied by its own requisite petition fee of \$130.

Our check in the amount of \$920 is attached to cover the fees corresponding to this Petition and the filing of the aforementioned RCE. If any additional fees are required, please notify the undersigned attorney by telephone and charge the additional fees to Deposit Account No. 02-4300 referencing case number 33216 M 059.

Respectfully submitted,  
SMITH, GAMBRELL & RUSSELL, LLP

By:

  
Michael A. Makuch, Reg. No. 32,263  
1850 M Street, N.W., Suite 800  
Washington, D.C. 20036  
Telephone: (202) 263-4300  
Facsimile: (202) 263-4329

Dated: February 9, 2006

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## PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: Mail

Mail Stop ISSUE FEE  
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Alexandria, Virginia 22313-1450  
(571) 273-2885

OFFICE OF PETITIONS

or Fax

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

7590

12/02/2005

Beveridge DeGrandi Weilacher & Young LLP  
1850 M Street N W Suite 800  
Washington, DC 20036

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Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

## Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

(Depositor's name)

(Signature)

(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/692,312	10/20/2000	Tadashi Ono	33216M059	5746

TITLE OF INVENTION: DATA RECORDING APPARATUS, MEDIUM AND INFORMATION PACKAGE

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1400	\$0	\$1400	03/02/2006

EXAMINER	ART UNIT	CLASS-SUBCLASS
CHEVALIER, ROBERT	2616	386-094000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.

☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.

2. For printing on the patent front page, list

(1) the names of up to 3 registered patent attorneys or agents OR, alternatively,

(2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

1 Smith, Gambrell &2 Russell, LLP

3 \_\_\_\_\_

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

Matsushita Electric Industrial  
Co., Ltd.

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Osaka, Japan

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ Individual ☒ Corporation or other private group entity ☐ Government

4a. The following fee(s) are enclosed:

☒ Issue Fee☐ Publication Fee (No small entity discount permitted)☐ Advance Order - # of Copies \_\_\_\_\_

4b. Payment of Fee(s):

☒ A check in the amount of the fee(s) is enclosed.☐ Payment by credit card. Form PTO-2038 is attached.☒ The Director is hereby authorized by charge the required fee(s), or credit any overpayment, to Deposit Account Number 02-4300 (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27.☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

The Director of the USPTO is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above. NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature

Date January 25, 2006

Typed or printed name

Michael A. MakuchRegistration No. 32,263

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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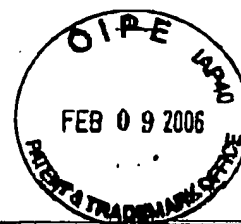
3

**Postcard receipt: Please apply mail room stamp and return to:**  
**SMITH, GAMBRELL & RUSSELL, L.L.P.**

Attorney Dkt No. : 33216M059  
Applicants : Tadashi ONO, et al.  
U. S. Patent Appln. No. 09/692,312  
Application Filing Date: October 20, 2000

February 9, 2006

For: DATA RECORDING APPARATUS, MEDIUM  
AND INFORMATION PACKAGE



- Attached :
1. Petition to Withdraw From Issue Under 37 C.F.R. § 1.313(c)(2)
  2. Request for Continued Examination
  3. Information Disclosure Statement (w/refs.)
  4. Check for \$920.00

## SMITH, GAMBRELL &amp; RUSSELL, LLP

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**TELECOPY COVER SHEET****FAX RECEIVED**

DATE: March 16, 2006

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Send To:	At (Firm/Company):	Telecopy:	Phone:
Ms. Francis Hicks	USPTO	(571) 273 0025	(571) 272 3218

From: Michael A. Makuch, Esq.      Telecopy: (202) 263-4329      Phone: (202) 263-4300      Client/Matter: 033216 M 059      Number of Pages: 9

OPERATOR: \_\_\_\_\_ TIME COMPLETED: \_\_\_\_\_  
PLEASE CALL (202) 263-4300 IF YOU HAVE ANY PROBLEMS

## MESSAGE:

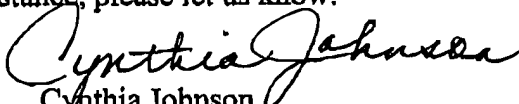
Re: U. S. Patent Application No. 09/692,312

Dear Ms. Hicks,

Attached is a copy of the USPTO date-stamped postcard, a Petition to Withdraw from Issue Under 37 C.F.R. § 1.313(C) (2), a Request for Continued Examination, an Information Disclosure Statement, and a PTO-Form 1449.

Pursuant to our conversation, I am also forwarding the Information Disclosure Statement, PTO Form 1449, and references by way of regular filing.

If we can be of further assistance, please let us know.

  
Cynthia Johnson  
Secretary to Michael A. Makuch

Attachments

## CONFIDENTIALITY NOTE:

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